

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 6410**

**BILL NUMBER: SB 92**

**NOTE PREPARED:** Nov 25, 2002

**BILL AMENDED:**

**SUBJECT:** Penalties for Class D Infractions.

**FIRST AUTHOR:** Sen. Craycraft

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** ☒ GENERAL  
☒ DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** The bill provides that \$5 of each \$25 penalty imposed by a city or town court for a Class D infraction (including safety belt violations) is to be retained by the political subdivision entering the judgment.

**Effective Date:** July 1, 2003.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** Of the six Class D infractions currently in statute, only the seatbelt/child restraint violations have generated significant revenue in recent years. In 2001, there were 8,369 child restraint citations and 177,303 seat belt citations resulting in findings of guilt. Assuming that each verdict resulted in a \$25 judgement, the state would receive \$4,641,800. If the political subdivisions entering the judgements instead retained \$5 as required under the bill, the state would receive \$3,713,440, a difference of \$928,360.

*Background Information:* The six Class D infractions in statute concern child restraints in vehicles, front seat passenger use of seatbelts, hunters wearing hunter orange, posting permits for construction in flood plain, and smoke detectors in dwellings. Revenues to the state from all infractions totaled \$14,173,000 in FY 2002. Revenues from each class of infraction is not separately identified in the state accounting system.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** Additional revenue to local units will vary depending on the disposition

of Class D infraction violations. Based on 2001 data, under the bill, an additional \$928,360 would be deposited into county, city, or town general funds statewide based on judgements of the presiding courts.

**State Agencies Affected:**

**Local Agencies Affected:** Counties, cities, and towns.

**Information Sources:** *Auditor's Trial Balance*, June 30, 2002.

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